

### **REMARKS/ARGUMENTS**

Claims 24-37 stand allowed, with claims 39, 42 and 43 objected to and claims 38, 40, 41, 44 and 45 rejected in the outstanding Official Action. Claims 38 and 42 have been amended and newly written claim 46 offered for consideration. Therefore claims 24-46 remain in the application.

The Examiner's indication of acceptability of the previously submitted formal drawings is very much appreciated. Similarly, the acknowledgment of Applicants' claim for priority and receipt of the certified copy of the priority document is appreciated. Finally, Applicants appreciate the Examiner's review of the previously submitted prior art in Applicants' Information Disclosure Statement.

Claims 42 and 43 stand objected to as lacking antecedent basis. Applicants believe that the dependency of claim 42 was a typographical error and should have referred to claim 39, instead of claim 38. Claim 42 has been amended so as to depend from claim 39, which provides antecedent basis for the recited "depositing means." Claim 38 positively recites both the "first layer" and a "second layer." Therefore, the change in dependency corrects the Examiner's noted objections to claims 42 and 43 and any further rejection thereunder is respectfully traversed.

Claims 38, 40, 41, 44 and 45 stand rejected under 35 USC §102 as being anticipated by Livshits (WO 97/17164). Independent claim 38 has been amended to positively recite the existence on an integrated ferroelectric device the first layer of non-perovskite phase material and a second layer of material defining an integrated circuit. This amendment in the preamble characterizes the claimed apparatus as being a device for producing an integrated ferroelectric device. The recitation of structure to accomplish the production of the integrated ferroelectric device has been maintained and supplemented by indicating that the pulse generating means and

the pulse extending means provide sufficient energy to anneal at least a portion of the non-perovskite phase material into perovskite phase material. Thus, independent claim 38 is now limited to the structure for accomplishing the method set out in independent claim 24 which has already been allowed. Reconsideration of the rejection of claim 38 and claims dependent thereon over the Livshits reference in view of the claim amendments is respectfully requested.

It is further noted that the Livshits reference contains no teaching regarding annealing, let alone annealing of ferroelectric devices, in order to produce an integrated ferroelectric device. There appears to be no disclosure of a ferroelectric device having a first layer of non-perovskite phase material and a second layer of material defining an integrated circuit. Finally, there appears to be no disclosure that the pulse generating means and the pulse extending means provide sufficient energy to anneal at least a portion of the non-perovskite phase material into perovskite phase material.

It is noted that Livshits is directed towards an apparatus and structure for using a standard commercially available laser to remove photoresist material or similar substances. While it may be possible that a standard commercially available laser such as disclosed in Livshits could be modified to operate in the manner of Applicants' independent claim 38, such modification and/or operation is not disclosed in the Livshits patent.

Should the Examiner believe Livshits to contain any disclosure of the structure set out in Applicants' amended claim 38 or any claim dependent thereon, he is respectfully requested to point out where Livshits contains any disclosure of producing "an integrated ferroelectric device" where there is a first layer of "non-perovskite phase material" and a second layer defining an integrated circuit. He is also respectfully requested to point out where Livshits teaches that the energy from the pulse generating means and the pulse extending means is

sufficient to “anneal at least a portion of said non-perovskite phase material into perovskite phase material.”

In view of the above amendments to independent claim 38, it is submitted that claims 38, 40, 41, 44 and 45 are clearly patentable over the Livshits reference and any further rejection thereunder is respectfully traversed.

Regarding section 5 on page 3 of the Official Action, the Examiner’s observation is very much appreciated, and claim 38 has been modified accordingly to positively recite the existence of the first layer of non-perovskite phase material and the subsequent energy level which is sufficient to anneal at least a portion of such material. It is believed that independent claim 38 has been properly clarified and therefore is clearly patentable over the Livshits reference.

Claim 45 stands rejected as being unpatentable over Livshits in view of Daly (U.S. Patent 5,337,333). Inasmuch as claim 45 ultimately depends from claim 38, the above comments distinguishing claim 38 over the Livshits reference are herein incorporated by reference. There is no allegation that the Daly reference contains any of the disclosures of elements recited in claim 38 which are alleged to be missing from the Livshits reference. Accordingly, either separately or combined, claim 45 is patentable under 35 USC §103 over both the Livshits and Daly references.

Claim 39 is objected to as being dependent from a rejected base claim, but is indicated as containing allowable subject matter. The indication of allowable subject matter in Claim 39 is appreciated. While claim 38 is believed patentable over the Livshits reference and therefore claim 39, dependent thereon, should also be patentable, Applicants have offered newly written independent claim 46 which is a literal combination of previously submitted claim 38 and claim 39. Therefore, in accordance with paragraph 12 of the outstanding Official Action, newly

written claim 46 is believed to be allowable. Consideration and entry of newly written claim 46 is respectfully requested.

The Examiner's indication of allowability of claims 24-37 is very much appreciated.

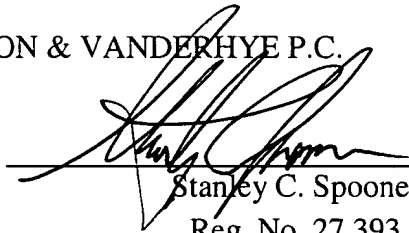
However, in view of the above minor amendments made to independent claim 38, it is submitted that all pending claims are in condition for allowance and notification is requested.

Having responded to all issues and rejections raised in the outstanding Official Action, it is submitted that claims 24-46 are in condition for allowance and notice to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicants' undersigned representative.

Respectfully submitted,

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